



# U.S. Congressman Jimmy Panetta

Proudly Serving California's 20th Congressional District

## **SNAP CARRY Act**

The Supplemental Nutrition Assistance Program (SNAP) is our country's most important anti-hunger program, serving tens of millions of Americans struggling with food insecurity while working hard to elevate their economic status. Today, as more people are thrust into financial instability as a result of the COVID-19 pandemic, SNAP provides a critical safety net to prevent hunger and keep our communities resilient.

The existing SNAP Restaurant Meal Program (RMP),<sup>i</sup> allows individuals who are homeless, elderly or disabled to use their food benefits to purchase prepared meals from a qualified participating restaurant, deli counter, or store. The RMP prevents hunger in some of our most vulnerable communities by allowing people who may not have the ability or a place to prepare their own food to purchase discounted prepared meals at participating restaurants with their SNAP benefits. Currently, participation in the RMP is voluntary for states and restaurants, and is open to any willing restaurant, regardless of size.

The RMP could serve as an important tool to support social distancing efforts, prevent hunger, and prevent job loss among restaurant employees, but statutory limits to the program present barriers to its use. The SNAP COVID-19 Anti-Hunger Restaurant Relief for You Act of 2020, or the SNAP CARRY Act, would lift these barriers during times of crisis, thus making it easier for states who want to participate and helping our nation better respond to the COVID-19 crisis.

Specifically, this legislation:

- Allows all individuals who are SNAP-eligible to utilize the RMP during a nationally declared disaster or public health emergency;
- Eases regulatory barriers on states participating in the program during emergencies like the COVID-19 pandemic;
- Gives the Secretary of Agriculture broad authority to authorize additional food retailers to participate in SNAP and SNAP RMP during the COVID-19 emergency; and
- Establishes an option and process for RMP participating restaurants to end their participation after the COVID-19 pandemic.

The SNAP RMP was developed to offer an additional food access point to serve vulnerable SNAP recipients for whom purchasing and preparing meals at home can be difficult or impossible. By expanding SNAP participants' access to prepared restaurant meals during the COVID-19 emergency, the SNAP CARRY Act provides a critical mechanism to augment food access points for our most vulnerable community members.

### **Organizational Endorsement for the SNAP CARRY Act**

The following organizations endorse the SNAP CARRY Act: Congressional Hunger Center, The Food Research and Action Center (FRAC), the National Restaurant Association, the National Council of Chain Restaurants, Share our Strength, and the Western Center on Law and Poverty.



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## Frequently Asked Questions

### **How Does the SNAP CARRY Act Change the Way RMP Is Administered?**

Under the SNAP CARRY Act, states are still in charge of implementing the program if they choose to do so. Currently, any interested state and any eligible restaurant within a participating state can submit an RMP Memorandum of Understanding (MOU) to the United States Department of Agriculture (USDA) Food and Nutrition Service (FNS). The MOU must detail obligations of both the state and the restaurant.<sup>ii</sup> Nothing about the SNAP CARRY Act will remove or change a state's ability to administer the RMP according to existing statute; it will only allow the program to meet the needs of *all* SNAP participants during a disaster or public health emergency and give authority to the Secretary to expand the number of participating restaurants during and immediately following a disaster or public health emergency declaration.

### **How Does the SNAP CARRY Act Change Who is Eligible for RMP?**

Currently, only those SNAP participants who are homeless, elderly, or disabled are eligible to purchase a meal through the RMP in a participating state. Nothing about the SNAP CARRY Act will remove or change a state's ability to administer the RMP according to existing statute. Rather, this legislation expands the RMP eligible population to include all SNAP participants who reside in an area where a Presidential Declaration of Disaster or a Public Health Crisis has been declared.

### **Which Restaurants can Participate in the SNAP RMP?**

To participate as a restaurant or qualified food retailer, an entity must be located within a state that has chosen to administer the RMP. Nothing in the SNAP CARRY Act changes this requirement. Under the SNAP CARRY Act, a restaurant interested in accepting SNAP benefits through the RMP must confirm that they offer a low-cost meal option. The restaurant must then sign an MOU with the participating state (or a county provided authority by the state). A copy of this signed MOU must be submitted with the restaurant's application for federal SNAP retailer authorization.<sup>iii</sup> Once enrolled in the RMP, a restaurant must have or obtain point of sale (POS) equipment that can process Electronic Benefit Transfer (EBT) transactions, and the equipment must include a personal identification number (PIN) pad. Restaurants are prohibited from charging sales tax or meal tax on prepared foods purchased with SNAP benefits. Restaurant participation in RMP is completely voluntary; however, if a restaurant chooses to participate, it is required by law to comply with the requirements of the SNAP program including non-discrimination and equal treatment of SNAP consumers.

### **Who benefits from the SNAP CARRY Act**

As a result of COVID-19 stay at home orders, millions of American who were already struggling to put food on their tables are facing new challenges. In addition, as Americans suddenly thrust out of work is in the tens of millions, with many more millions expected before

this pandemic is over, more people are also struggling to make ends meet and will need to rely on food assistance programs like SNAP. The SNAP CARRY Act would expand the place these families could get food and ensure they have a variety of flexible options to help feed their families.

In addition, restaurants of every type – from the corner sandwich shop to sit-down restaurants with dozens of servers and cooks – are reeling from the shutdown and loss of customers. Some restaurants have been able to convert their operations to mostly carryout, but the drastic decline in revenues resulting from stay-at-home orders will cause many to go out of business, and for many, these closures will be permanent. Job losses in the restaurant sector have been staggering and continue to mount.

When so many Americans are looking for ways to feed themselves and their families, and with so many restaurants seeking ways to continue serving their communities, the SNAP CARRY Act provides a common sense solution to a widespread problem.

*For more information, please contact Riya Mehta ([Riya.Mehta@mail.house.gov](mailto:Riya.Mehta@mail.house.gov)) in Congressman Jimmy Panetta's office or Emily Smith ([Emily\\_smith@murphy.senate.gov](mailto:Emily_smith@murphy.senate.gov)) in Senator Chris Murphy's office.*

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<sup>i</sup> A Primer on the Restaurant Meal Program, <https://wclp.org/wp-content/uploads/2016/11/YGA-12161-SNAP-doc1-1.pdf>

<sup>ii</sup> An example of an approved MOU is included in the California Department of Social Services All County Information Notice 1-31-04.

<sup>iii</sup> Meal Service Application, Form FNS-252-2